



State of Wisconsin


LEGISLATIVE REFERENCE BUREAU

RESEARCH APPENDIX - **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Transfer Requested: 04/13/2007 (Per: MDK)





Appendix A

 The 2007 drafting file for LRBa0288

has been transferred to the drafting file for

2007 LRBa0292

 This cover sheet, the final request sheet, and the final version of the 2005 draft were copied on yellow paper, and returned to the original 2005 drafting file.

 The attached 2005 draft was incorporated into the new 2007 draft listed above. For research purposes, this cover sheet and the complete drafting file were transferred, as a separate appendix, to the 2007 drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.

2007 DRAFTING REQUEST**Assembly Amendment (AA-AB207)**Received: **04/12/2007**Received By: **mkunkel**Wanted: **As time permits**

Identical to LRB:

For: **Phil Montgomery (608) 266-5840**By/Representing: **Leg. Council**This file may be shown to any legislator: **NO**Drafter: **mkunkel**

May Contact:

Addl. Drafters:

Subject: **Public Util. - telco**

Extra Copies:

Submit via email: **YES**Requester's email: **Rep.Montgomery@legis.wisconsin.gov**Carbon copy (CC:) to: **john.stolzenberg@legis.wisconsin.gov**
david.lovell@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Definition of "gross receipts"

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	mkunkel 04/12/2007	wjackson 04/12/2007	pgreensl 04/12/2007	_____	sbasford 04/12/2007	sbasford 04/12/2007	

FE Sent For:

<END>

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/?	mkunkel	1 wlj 4/12	4/14 ps	4/14 Pr			

FE Sent For:

<END>

5
✓ (j) 1. "Gross receipts" means all revenues received by and paid to a video service provider for video service, including all of the following:

- a. Recurring charges for video service.
- b. Event-based charges for video service, including pay-per-view and video-on-demand charges.
- c. Rental of set top boxes and other video service equipment.
- d. Service charges related to the provision of video service, including activation, installation, repair, and maintenance charges.
- e. Administrative charges related to the provision of video service, including service order and service termination charges.
- f. Revenues received from the provision of home shopping or similar programming.
- g. Revenues received from the provision of advertising.

Deleted: by subscribers residing within a municipality

2. Notwithstanding subd. 1., "gross receipts" does not include any of the following:

- a. Discounts, refunds, and other price adjustments that reduce the amount of compensation received by a video service provider.
- b. Uncollectible fees, except that any uncollectible fees that are written off as bad debt but subsequently collected shall be included as gross receipts in the period collected, less the expenses of collection.
- c. Late payment charges.
- d. ~~Maintenance charges.~~
- e. Amounts billed to video service subscribers to recover taxes, fees, surcharges or assessments of general applicability or otherwise collected by a video service provider from video service subscribers for pass through to any federal, state, or local government agency, including video service provider fees and regulatory fees paid to the FCC under 47 USC 159.
- f. Revenue from the sale of capital assets or surplus equipment not used by the purchaser to receive video service from the seller of those assets or surplus equipment.
- g. Charges, other than those described in subd. 1., that are aggregated or bundled with amounts described in subd. 1., including but not limited to any revenues received by a video service provider or its affiliates for telecommunications services, information services, or the provision of directory or Internet advertising, including yellow pages, white pages, banner advertisement, and electronic publishing, if a video service provider can reasonably identify such charges on books and records kept in the regular course of business or by other reasonable means.
- h. Reimbursement by programmers of marketing costs actually incurred by a video service provider.

Deleted: g

Inserted: g. Revenues received from the provision of home shopping or similar programming.

Deleted: h

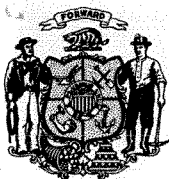
Inserted: h. Revenues received from the provision of advertising.

Deleted: and billed to video service subscribers

friend audit - no change

4-yr. limit on litigation → p 26 line 5

T Moore / Buddy or Jim Barnett



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBa0288/1

MDK:.....

Wlj

O-note

ASSEMBLY AMENDMENT ,
TO 2007 ASSEMBLY BILL 207

to be
4PM

1 At the locations indicated, amend the bill as follows:

2 ✓1. Page 11, line 14: delete "by subscribers residing within a municipality for
3 video service".

4 ✓2. Page 11, line 23: after that line insert:

5 "f. Revenues received from the provision of home shopping or similar
6 programming.

7 g. Revenues received from the provision of advertising."

8 ✓3. Page 12, line 7: delete that line.

9 ✓4. Page 12, line 17: delete "and billed to video service subscribers".

10 ✓5. Page 26, line 5: delete "3 years" and substitute "4 years".

11

(END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0288/1dn

MDK:.....

WJ

Rep. Montgomery:

Please note the following:

1. Because advertising revenue is added to the definition of "gross receipts," I deleted "for video service" from proposed s. 66.0420 (2) (j) 1. (intro.). My rationale is that "video service" is defined as certain types of "video programming," which is defined as programming comparable to programming provided by television broadcast stations. Advertising seems to me to be distinct from programming.
2. Should the references to directory or Internet advertising be deleted from page 12, lines 20 and 21? Or is the intent to include all types of advertising under the definition of "gross receipts," *except* for the directory or Internet advertising mentioned on page 12, lines 20 and 21? If that is your intent, the amendment is okay as is.

No B

Mark D. Kunkel
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E-mail: mark.kunkel@legis.wisconsin.gov

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0288/1dn
MDK:wlj:pg

April 12, 2007

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11 (END)